

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

FRADARIO BRIM,

Plaintiff,

v.

ORDER

CHAPLAIN MIKE DONOVAN,
CORR. OFFICER II FRAPPIER, and
SCOTT ECKSTEIN,

15-cv-658-jdp

Defendants.

Pro se plaintiff Fradario Brim, a prisoner incarcerated at the Green Bay Correctional Institution, is proceeding on claims that defendants Chaplain Mike Donovan, Correctional Officer II Frappier, and Scott Eckstein violated his free exercise and free speech rights under the First Amendment and his religious rights under the Religious Land Use and Institutionalized Persons Act. Brim alleges that defendants prevented him from attending Islamic prayers and study groups, fasting during Ramadan, and maintaining a Halal diet.

Defendants filed a motion for summary judgment on Brim's claims. Dkt. 19. Less than a week before Brim's response was due, Brim moved for leave to submit a response without responding to defendants' proposed findings of fact. Dkt. 27. Brim explains that he "is unable to understand and appreciate the intricacies of discerning arguments, what is or isn't admissible, how and when to object, and even how to structure responses and legal argument." *Id.* at 1. He asks in the alternative that the court allow him an additional 14 to 30 days to respond to defendants' proposed findings of fact.

Brim must respond to defendants' proposed findings of fact. If he does not, I will treat defendants' proposed facts as undisputed. So I will not grant him leave to submit a response

without responding to defendants' proposed findings of fact, but I will allow him a short extension of time to respond. I will attach the court's guidelines on summary judgment procedures, which should help Brim respond to defendants' proposed findings of fact. The basic requirement is that Brim must respond to each proposed fact by stating whether he agrees or disagrees. If he disagrees, he should point to evidence supporting his version of the fact.

ORDER

IT IS ORDERED that:

1. Plaintiff Fradario Brim's motion for leave to submit response to defendants' motion for summary judgment without responding to their proposed findings of fact, Dkt. 27, is DENIED in part and GRANTED in part.
2. Plaintiff's response to defendants' proposed findings of fact is due June 9, 2017. Defendants' reply brief in support of their motion for summary judgment, Dkt. 19, is due June 19, 2017.

Entered May 25, 2017.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge